

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-11640-RWZ

BRIGHAM AND WOMEN'S HOSPITAL, INC. and
INVESTORS BIO-TECH, L.P.

v.

PERRIGO COMPANY and L. PERRIGO COMPANY

FINAL JUDGMENT

August 2, 2017

ZOBEL, S.D.J.

In accordance with the December 14, 2016 jury verdict (Docket # 222) and the court's April 24, 2017 Memorandum and Order (Docket # 284), the court hereby renders the following Final Judgment:

(1) Defendants Perrigo Company and L. Perrigo Company (collectively, "Perrigo") directly and indirectly infringe claims 1, 4, 5, 6, 7, and 12 of U.S. Patent No. 5,229,137 ("the '137 patent").

(2) The effective priority date of the '137 patent is March 1990, and claims 1, 4, 5, 6, 7, and 12 of the '137 patent are not invalid on any of the grounds stated in 35 U.S.C. §§ 102 or 103.

(3) Perrigo is not entitled to a laches defense because plaintiffs Brigham and Women's Hospital, Inc. and Investors Bio-Tech, L.P. (collectively, "Brigham") knew or should have known of their infringement claim as of August 11, 2008.

(4) Brigham is awarded damages against Perrigo in the amount of \$10,210,071 for infringement of the '137 patent.

(5) Perrigo is not entitled to any pre-judgment interest.

(6) Brigham is not entitled to attorney's fees or enhanced damages.

All other relief requested by the parties not expressly granted herein is hereby denied.

August 2, 2017

DATE

/s/Rya W. Zobel

RYA W. ZOBEL
SENIOR UNITED STATES DISTRICT JUDGE